



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Wan Ji, *et al.*

Serial No.: 10/672,104

Filed: September 26, 2003

For: Method for Rapid Amplification of DNA

Group Art Unit: 1632

Examiner: Kenneth R. Horlick

Atty. Dkt. No.: INV850/4-001CON/58003

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**PETITION TO REVIVE UNINTENTIONALLY
ABANDONED APPLICATION AND
PETITION FOR EXTENSION OF TIME**

MAIL STOP FEE AMENDMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted as a Petition to Revive an Unintentionally Abandoned application under 37 C.F.R. § 1.137(b). The Commissioner is respectfully requested to consider the Statements herein and to withdraw any holding of abandonment of the captioned application. The Commissioner is also requested to consider this paper as a request for a three-month extension of time in which to reply to an Office Action of January 10, 2006.

The petition fee of \$1,500.00 according to 37 C.F.R. §1.17(m) for revival of an unintentionally abandoned application and the fee of \$1,020.00 according to 37 C.F.R. §1.17(a)(3) for a three-month extension of time are included herewith. No further fees are believed to be due with the filing of this paper; however, if the fee is deficient or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is

09/01/2006 AWONDAF1 00000051 10672104

01 FC:1453 1500.00 OP
02 FC:1253 1020.00 OP

Adjustment date: 11/14/2006 CKHLOK
09/01/2006 AWONDAF1 00000051 10672104
02 FC:1253 -1020.00 OP

authorized to deduct said fees from Vinson & Elkins L.L.P. Deposit Account No. 22-0365/INV850/4-001CONUS/58003.

A non-final Office Action was issued on January 10, 2006. On July 10, 2006, after numerous requests for instructions, Assignee finally instructed its counsel to file a continuation application based on U.S. Patent Application Serial Number 10/672,104, along with a Preliminary Amendment in order to amend the current set of claims and incorporate continuation information. Counsel for Assignee prepared and filed a continuation application along with a Preliminary Amendment on July 10, 2006. Late in the afternoon of July 10, 2006, Assignee also instructed its Counsel to file an Amendment and Reply to the January 10, 2006 Office Action in U.S. Patent Application Serial Number 10/672,104; however, Counsel for Assignee did not receive the instructions until too late in the afternoon on July 10, 2006 to meet the deadline at the U.S. Patent and Trademark Office. Assignee's office is in California (Pacific Standard Time) and its Counsel's office is in Texas (Central Standard Time).

There was never an intention on the part either party to abandon this application from April 10, 2006 until August 29 2006. The Commissioner is respectfully requested to revive this unintentionally abandoned application.

Respectfully submitted,



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Attorney for Applicant

Vinson & Elkins L.L.P.
First City Tower
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Houston, Texas 77002-6760
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Date: August 29, 2006

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
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TYPED/PRINTED NAME: <u>Cliff Congo</u>		TITLE: <u>Attorney</u>		
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